

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John Zimmerman

Serial No.: 10/084,715

Filing Date: February 25, 2002

For: Method and apparatus for an adaptive
audio-video program recommendation system

Examiner: Clyde H. Jones III

Art Unit: 2623

Confirmation No.: 6622

Attorney Docket No.: US020013

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF AARON WAXLER

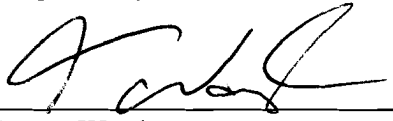
I, Aaron Waxler, declare as follows:

1. I am the attorney that filed in the instant application in the USPTO on February 25, 2002, which is referenced in the attached Declaration Under 37 C.F.R. §1.131 of John Zimmerman.
2. By letter dated prior to January 31, 2002, (Exhibit E from Zimmerman Declaration), I received the application (Exhibit C from Zimmerman Declaration) and executed Declaration and Power of Attorney (Exhibit D from Zimmerman Declaration) from our outside counsel.
3. From the date I received the application and executed Declaration and Power of Attorney from our outside counsel prior to January 31, 2002, until the date the application was filed on February 25, 2002, I exercised reasonable diligence in chronologically handling the cases on my docket and advancing the application to filing.
4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18

Application Number: 10/084,715
Attorney Docket: US020013
Response to Office Action of November 28, 2006

of the U.S. Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



Aaron Waxler

1/18/07

Date